

City of Taylorsville
CITY COUNCIL MEETING
Minutes

Wednesday, June 7, 2006
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

BRIEFING SESSION

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Council Member Lynn Handy
Council Member Bud Catlin
Council Member Les Matsumura

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Mark McGrath, Community Development Director
Don Adams, Economic Development Director
Larry Marx, Chief of Police

Excused: Council Member Jerry Rechtenbach

BRIEFING SESSION

17:36:26 Chairman Morris Pratt conducted the Briefing Session, which convened at 5:36 p.m. The Council reviewed the Administrative Report, after which the agenda was discussed.

In response to a roll call, the following Council Members were present: Rechtenbach-excused, Catlin-yes, Pratt-yes, and Matsumura-yes. Council Member Handy had not yet arrived.

Council Member Bud Catlin **MOVED** to meet in Closed Session to discuss the sale of real property at 6:00 p.m. Council Les Matsumura **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-excused, and Matsumura-yes. **All members of the City Council present were in favor and the motion carried by a unanimous vote.**

A. CLOSED SESSION

Those in attendance at this Closed Session were: Mayor Russ Wall, Council Chair Morris Pratt, Council Members Catlin and Matsumura, City Administrator John Inch Morgan, City Attorney John Brems, Economic Development Director Don Adams and City Recorder Virginia Loader. Minutes for the Closed Session were taken and are now on file as a Protected Record.

Council Member Lynn Handy arrived at the meeting at 6:05 p.m.

Council Member Bud Catlin **MOVED** to adjourn this Closed Session at 6:20 p.m. and meet in Closed Session B to discuss the professional competence of an individual. Council Member Lynn Handy **SECONDED** the motion. Chairman Morris Pratt called for discussion on the motion. There being none, he called for a roll-call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All members of the City Council present voted and the motion carried by a unanimous vote.**

B. CLOSED SESSION

Those in attendance at this Closed Session were: Mayor Russ Wall, Council Chair Morris Pratt, Council Members Catlin, Handy and Matsumura, City Administrator John Inch Morgan, City Attorney John Brems, and City Recorder Virginia Loader.

A meeting of the City Council held on Wednesday, June 7, 2006 was closed to discuss the character and professional competence of an individual, wherein no other items were discussed.

Council Member Bud Catlin **MOVED** to adjourn this Closed Session and convene the regular City Council Meeting at 6:41 p.m. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All members of the City Council present were in favor and the motion carried by a unanimous vote.**

REGULAR MEETING

Attendance:

Mayor Russ Wall

Council Members:

Chairman Morris Pratt
Council Member Lynn Handy
Council Member Bud Catlin
Council Member Les Matsumura

City Staff:

John Inch Morgan, City Administrator
John Brems, City Attorney
Mark McGrath, Community Development Director
Gerry Orr, City Finance Director
Virginia Loader, City Recorder
Robin Kishiyama, Council Coordinator
Larry Marx, Chief of Police
Donald Adams, Economic Development Director
Gordon Haight, City Engineer
Michael Kwan, Justice Court Judge
Patricia Quintana, Administrative Assistant
Kelly Chinn, Human Resource Specialist
Brandy Stephens, Administrative Assistant
Keith Stephens, Police Officer
Tracy Wyant, Police Officer
Dan Udall, City Planner
Nick Norris, City Planner
Kevin Taylor, Court Administrator
Mary Bennett, Court Clerk
Wayne Dial, Lieutenant
Lyle Hansen, Public Works Inspector
Police Officers
Cheryl Peacock Cottle, Deputy Recorder
Connie Valarde
Other Court Employees
Patrick Tomasino, Building Inspector
Shell Poulson, Court Clerk
Nicole Valez, Court Clerk
Tess Falkner, Court Clerk

Excused: Council Member Jerry Rechtenbach

Citizens: John Gidney, Jolene Dearden, Katie Larsen, Kristie Overson, Margaret Woodruff, Kathy McKittrick, Joe Crown, Harlan Christmas, Scott Fausett, Nicole Daves, Tom Kern, Steve Mayne, Dave Goddard, Allen Gwen Burnside, Ted Jensen, Devin Horrocks, Ahley Moutsos, Ken Cook, Tanya Jensen, Val Jensen, Julene Inskeep, Avry Wright, Doug Inskeep, Dean Paynter, Carol Healy, Larry Hardy, Derek Jensen, Larry Hiller, Richard Pickle, Mary Bingham, Ken Acker, Gina Acker, Tessa Inskeep, Marilyn D. Lund, Kristen H. Openshaw

1. WELCOME, INTRODUCTION AND PRELIMINARY MATTERS

18:45:19 Chairman Morris Pratt called the meeting to order at 6:45 p.m. and welcomed those in attendance.

18:45:29 Chairman Pratt welcomed Council Member Ken Cook, Planning Commission Members and Boy Scout Troops who were present.

1.1 Pledge of Allegiance – Opening Ceremonies – *Youth Council Member Landon Gwilliam*

18:46:00 A.C. Ivory, of the Taylorsville Youth Council, directed the Pledge of Allegiance.

1.2 Reverence – *Youth Council Member Ashley Moutsos* (Opening Ceremonies for June 21, 2006 to be arranged by Council Member Rechtenbach)

18:46:35 Youth Council Member Ashley Moutsos offered the Reverence.

18:47:42 Chairman Pratt welcomed and introduced Boy Scout Troop 675.

1.3 Citizen Comments

18:48:34 Chairman Morris Pratt reviewed the Citizen Comment Procedures for the audience and called for any citizen comments.

18:50:32 **Joe Crown**, 2034 Quailbrook Drive, spoke in regards to tax increases. He said that he has spoken with many citizens and their perception of the City Council is negative and they believe that the Council will do what they want and not what the people want.

18:53:48 **Ashley Moutsos** reported a huge speeding problem on 1250 West near 4800 South.

18:55:36 Chairman Pratt acknowledged members of the Budget Committee in attendance.

18:55:53 **Jolene Dearden**, of the Budget Committee, expressed her concerns in regards to the proposed budget and read comments from Gordon Wolf, Budget Committee member. Mrs. Dearden presented Mr. Wolf's written comments to the City Council.

1.4 Mayor's Report

19:00:46 Mayor Russ Wall reported that the Torch Run for the Special Olympics came through Taylorsville City at approximately noon today. Ten members of the Taylorsville Police

Department carried the torch for approximately 1.5 miles. He explained that the purpose of the torch run is for a fund raiser that is projected to raise approximately \$180,000.

Mayor Wall acknowledged the Taylorsville Arts Council for completing their first play of the year, "A Year with Frog and Toad."

Mayor Wall reported that Richard Brunson, conductor of the Taylorsville Orchestra, will be moving and Dr. Craig Ferron, of the Salt Lake Community College, will be replacing him as conductor.

Mayor Wall said that he conducted a question and answer session with a group of Webelos and Boy Scouts prior to the Council Meeting.

1.5 Recognition of the Best of Taylorsville Home and Business Beautification Award – *Dave Goddard, Chairman Pratt*

19:04:56 Chairman Morris Pratt and Dave Goddard, Chairman of the Taylorsville LARP Committee presented the *Best of Taylorsville Home and Business Beautification Award* to Larry and Carol Healy for the month of May. An Honorable Mention for most beautiful Taylorsville residence was awarded to Jack and Evelyn Atkinson.

2. REPORTS

2.1 CBIZ Report on the Compensation and Benefits Study – *Ed Rataj*

19:08:33 John Inch Morgan introduced Ed Rataj, of CBIZ. Mr. Rataj reviewed findings of the recent Compensation and Benefits Study that was conducted for the City.

Mr. Rataj addressed questions and comments from the Council regarding the study results. Council Member Bud Catlin requested copies of the presentation for himself and the other Council Members.

3. APPOINTMENTS

There were no appointments.

4. CONSENT AGENDA

4.1 Minutes – RCCM 05-17-06

20:09:57 Council Member Les Matsumura **MOVED** to adopt the Consent Agenda. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members present voted in favor and the motion passed unanimously.**

5. PLANNING MATTERS

5.1 Public Hearing – 6:30 p.m. – Regarding the Amendment of the Taylorsville General Plan, Specifically the 4800 South Small Area Master Plan to Allow a Zoning Change on Property Located at 5120 South 1130 West – *Mark McGrath*

20:10:31 Community Development Director Mark McGrath presented Agenda Item 5.1 and 5.2 together because both items deal with the same piece of property. Mr. McGrath explained that a proposed amendment to the 4800 South Small Area Master Plan. He noted that the applicants (Brent Overson and Steve Mayne) are proposing to change the 4800 Small Area Master Plan to allow zoning changes and then to change the zoning of the property located at 5120 South 1130 West (approximately 1.01 acres) from A-2 to A-1 with a zoning condition that requires a minimum of ½ acre lots. They would then subdivide the lot into two residential lots with each lot being ½ acre in size.

Mr. McGrath relayed that the Planning Commission unanimously recommended approval of the application on May 9, 2006 and Staff is consistent with that recommendation.

Community Development Director Mark McGrath presented a proposed amendment to the Taylorsville Zoning Map for property located at 5120 South 1130 West. He stated that the property is currently zoned A-2 and the minimum lot size in the A-2 zone is one acre. The applicant desires to change the zoning to A-1 with a zoning condition that would require a minimum lot size of ½ acre. The properties to the south and west are zoned A-2 and the properties to the north and east are zoned A-1.

Mr. McGrath noted that the Planning Commission unanimously recommended approval of the amendment. Depending on the decision regarding Ordinance 06-23, he stated that Staff is also recommending approval.

20:17:10 Chairman Pratt opened the public hearing on this matter and called for citizen comments.

20:17:41 There were no citizen comments and Chairman Pratt declared the public hearing closed.

5.1.1 Ordinance No. 06-23 – Amending the 4800 South Small Area Master Plan to Allow a Zoning Change on Property Located at 5120 South 1130 West

20:18:29 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-23 – Amending the 4800 South Small Area Master Plan to Allow a Zoning Change on Property Located at 5120 South 1130 West. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members present voted in favor and the motion passed unanimously.**

5.2 Public Hearing – 6:30 p.m. – Regarding the Amendment of the Taylorsville Zoning Map from A-2 to A-1 ZC for Property Located at 5120 South 1130 West

20:19:16 Chairman Pratt opened the public hearing on this matter and called for citizen comments.

20:19:40 There were no citizen comments and Chairman Pratt declared the public hearing closed.

20:19:47 A letter was received from the agent of the applicant and distributed to the City Council.

5.2.1 Ordinance No. 06-24 --- Amending the Taylorsville Zoning Map from A-2 to A-1 with a Zoning Condition Requiring a Minimum of ½ Acre Lots for Property Located at 5120 South 1130 West

20:20:11 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-24 – Amending the Taylorsville Zoning Map from A-2 to A-1 with a Zoning Condition Requiring a Minimum of ½ Acre Lots for Property Located at 5120 South 1130 West. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members present voted in favor and the motion passed unanimously.**

5.3 Public Hearing – Amending Chapter 13.40.210 “Animal and Fowl Restrictions” of the Taylorsville Code of Ordinances to Allow Animals and Fowl to be Kept 40 Feet from a Dwelling on an Adjacent Property or a Public Street as a Permitted Use and to Allow the Distance to be Reduced to 20 Feet with a Conditional Use Permit – *Mark McGrath*

20:21:26 Community Development Director Mark McGrath presented the subject ordinance regarding animal and fowl restrictions. He explained that this ordinance was initiated by an enforcement action taken by the City against a property owner who owns and was keeping racing pigeons in a residential zone. He noted that pigeons are allowed as a conditional use in most residential zones. Mr. McGrath cited certain requirements on all conditional uses that are intended to mitigate the potential impacts of certain types of uses based on the designated zoning district of the property. He also referred to the Salt Lake Valley Health Department that has specific regulations related to pigeons and how they are kept.

Mr. McGrath said that Staff feels that reducing the distance to 20 feet with a conditional use permit would sufficiently address the problem. He suggested that the ordinance be amended to read as follows: "13.40.210 Animals and Fowl Restrictions: No animals or fowl shall be kept or maintained closer than forty feet (40') from any dwelling on an adjacent parcel of land, and no barn, stable, coop, pen or corral shall be kept closer than forty feet (40') from any street. The distance may be reduced to 20 feet with a Conditional Use Permit."

20:27:42 Mr. McGrath addressed comments and questions from the City Council.

20:28:11 Chairman Pratt opened the public hearing on this matter and called for citizen comments.

Margaret Woodruff asked if the ordinance was animal specific. Mr. McGrath said the ordinance addresses animal and fowl.

20:28:57 There were no additional citizen comments, and Chairman Pratt declared the public hearing closed.

20:29:01 Chairman Pratt gave explanation regarding the companion ordinance and noted that it will be discussed in next week's Work Session.

Ted Jensen, of the Ordinance Review Committee, addressed the City Council and briefly described the Animal At Large Section. It was determined that discussion on that issue will be held in next week's meeting.

5.3.1 Ordinance No. 06-25 -- Amending Chapter 13.40.210 "Animal and Fowl Restrictions" of the Taylorsville Code of Ordinances to Allow Animals and Fowl to be Kept 40 Feet from a Dwelling on an Adjacent Property or a Public Street as a Permitted Use and to Allow the Distance to be Reduced to 20 Feet with a Conditional Use Permit -- Mark McGrath

20:31:03 Council Member Les Matsumura **MOVED** to adopt Ordinance No. 06-25 Amending Chapter 13.40.210 “Animal and Fowl Restrictions” of the Taylorsville Code of Ordinances to Allow Animals and Fowl to be Kept 40 Feet from a Dwelling on an Adjacent Property or a Public Street as a Permitted Use and to Allow the Distance to be Reduced to 20 Feet with a Conditional Use Permit. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-no, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members present voted in and the motion passed 3 to 1.**

6. FINANCIAL MATTERS

6.1 Public Hearing – Amending and Restating the Compensation Range for Statutory Officers and Other City Employees – *John Inch Morgan*

20:32:03 City Administrator John Inch Morgan presented the subject ordinance to amend and restate the compensation range for statutory officers and other city employees. He explained that the recommended compensation ranges have been developed by the City’s consultant, CBIZ, who was tasked to perform desk audits on all of the City’s civilian positions, develop market based compensation ranges, compare current compensation rates with the market data, provide an analysis of market based benefits, and perform an analysis of FLSA classifications for all City employment categories and classifications.

20:33:21 Mr. Morgan responded to questions from the City Council.

20:36:31 Chairman Pratt opened the public hearing on this matter and called for citizen comments.

Ken Cook commended the City Council and Administration for the effort they have put in to the salary survey

Joe Crown recommended that the City Council give consideration to the information presented by CBIZ.

Les Matsumura clarified that City Employees are career minded and are not considered public servants.

Mayor Wall said that the City Employees do not bring a profit to the City; however, Taylorsville citizens are best served by city employees.

20:45:24 **John Gidney** suggested that the overall compensation packages should be looked at and employees be brought up to at least the minimum standard. He stated that, as a City

volunteer, he relies on help from City employees, and they should be competent in their positions and sufficiently compensated.

20:46:37 **Judge Michael Kwan** spoke highly of City employees and noted that they project a great sense of public service and caring about the community. He asked that the Council consider approving the ordinance and implementing the changes, so that flexibility is in place to adequately compensate employees.

20:49:10 Bud Catlin stated that he is not ready to go ahead, as he has not had ample opportunity to look at the package.

20:50:21 **Ken Thacker** said that the City needs to go to a merit based system and needs to pay its employees adequately ahead of other projects.

Mayor Wall requested that the Budget Committee bring their priorities and concerns regarding the City projects within the budget.

20:52:04 There were no additional citizen comments, and Chairman Pratt declared the public hearing closed.

20:52:10 Discussion and comments were offered from the City Council Members.

6.1.1 Ordinance No. 06-22 – Amending and Restating the Compensation Range for Statutory Officers and Other City Employees – *John Inch Morgan*

21:00:03 Based on Council Member Bud Catlin's comments and in the absence of Council Member Jerry Rechtenbach, Council Member Les Matsumura **MOVED** to table Ordinance No. 06-22 – until a Special City Council Meeting prior to Work Session on June 14, 2006. Council Member Bud Catlin **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-no, Handy-yes, and Matsumura-yes. **All City Council members present voted and the motion passed with a 3 to 1 vote.**

6.2 Public Comment – To Receive Public Comment on the 2006/2007 Fiscal Year Tentative Budget

21:03:03 Chairman Pratt called for citizen comments regarding the 2006/2007 Fiscal Year Tentative Budget.

Margaret Woodruff asked questions in regards to her tax notice and the proposed tax increases.

She also recommended that the City consider a Unified Swat Team.

Mr. Morgan addressed questions posed by Ms. Woodruff and lengthy explanation was given regarding Storm Drain, road, sidewalk issues and related infrastructure changes.

Margaret Woodruff referred to a newspaper article regarding the proposed budget and asked questions in relation to the article.

21:12:07 There were no additional citizen comments and Chairman Pratt declared the public comment time closed.

6.3 Continued Discussion of the 2006/2007 Fiscal Year Tentative Budget – *John Inch Morgan*

21:14:42 City Administrator John Inch Morgan opened discussion concerning the 2006/2007 Fiscal Year Tentative Budget. He called for questions from the City Council, and lengthy discussion ensued regarding individual department budgets.

The Council concurred to cap insurance benefits at \$726.00 per person.

At the request of John Inch Morgan, City Council gave direction to Mr. Morgan in regards to Payroll and Benefits, City Council, Police, Public Works, Parks and Land, Building Department, Community Development budgets. Mr. Morgan recorded the adjustments as they were discussed.

7. OTHER MATTERS

7.1 Resolution No. 06-26 – Declaring Endorsement of the Public Education Initiative of the Click It or Ticket Program and Directing the Taylorsville Law Enforcement Personnel to Promote and Visibly Enforce Compliance of the Utah Safety Belt and Child Safety Seat Belt Laws – *Chief Marx*

23:50:28 City Administrator John Inch Morgan presented the subject resolution calling for the City's endorsement of the Public Education Initiative of the *Click It or Ticket Program* and directing law enforcement personnel to promote and visibly enforce compliance of Utah State seat belt laws.

23:51:04 Council Member Les Matsumura **MOVED** to adopt Resolution No. 06-26 – Declaring Endorsement of the Public Education Initiative of the Click It or Ticket Program and Directing the Taylorsville Law Enforcement Personnel to Promote and Visibly Enforce Compliance of the the Utah Safety Belt and Child Safety Seat Belt Laws. Council Member Lynn Handy

SECONDED the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.**

7.2 Discussion of the City Council Meeting Schedule for July – *Chairman Pratt*

23:51:41 Chairman Pratt called for discussion on the scheduling of July City Council Meetings and proposed that meetings be held on July 5th and July 12th. The other Council Members concurred, although Council Member Handy indicated that he will be out of town on July 5th.

7.3 Discussion of the Taylorsville COG Issues – *Council Member Matsumura*

23:52:43 Council Member Les Matsumura requested that City Council Members provide five top issues for the City to discuss at the Council of Governments (COG) meeting on June 17, 2006.

8. NEW ITEMS FOR SUBSEQUENT CONSIDERATION (No Action)

23:54:43 Council Member Bud Catlin recommended that the City stay abreast of studies regarding School Districts.

23:57:32 Council Member Bud Catlin **MOVED** to schedule a Public Hearing to receive public comment regarding the final amendment to the 2005-2006 Fiscal Year Budget for June 21, 2006 at 6:30 p.m. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion on the motion. There being none, he called for a roll call vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members present voted in favor and the motion passed unanimously.**

23:56:05 Council Chairman Pratt described a meeting he and Council Member Catlin recently attended regarding the Meadowbrook issue. He noted that a suggestion was made that Taylorsville City buy the golf course, although that does not appear feasible.

9. NOTICE OF FUTURE PUBLIC MEETINGS (NEXT MEETING)

- 9.1 City Council Work Session – Wednesday, June 14, 2006 – 6:00 p.m.**
- 9.2 City Council Briefing Session – Wednesday, June 21, 2006 – 6:00 p.m.**
- 9.3 City Council Meeting – Wednesday, June 21, 2006 – 6:30 p.m.**

10. CALENDAR OF UPCOMING EVENTS

- 10.1 Saturday, June 10, 2006, in the City Council Chambers from 10:00 a.m. to 12:00 p.m. – Taylorsville Organizes CERT Open House; Learn About CERT (Community Emergency Response Team)**
- 10.2 Wednesday, June 28 through Saturday, July 1 – Taylorsville Dayzz 2006**

11. ADJOURNMENT

Council Member Les Matsumura **MOVED** to adjourn the City Council Meeting. Council Member Lynn Handy **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he called for a vote. The vote was as follows: Rechtenbach-excused, Catlin-yes, Pratt-yes, Handy-yes, and Matsumura-yes. **All City Council members voted in favor and the motion passed unanimously.** The meeting was adjourned at 12:04 a.m.

Virginia Loader, City Recorder

Minutes approved: CC 06-21-06

Minutes Prepared by: Cheryl Peacock Cottle, Deputy Recorder